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FACT AND FOG

By WILLIS BALLINGER

THAT UN-HOLY TRINITY — the internationalists, socialists and Communists — have turned loose a fog of misrepresentation of the proposed Bricker amendment. To penetrate this fog, the citizen needs only to keep in mind two facts about the proposal.

FIRST FACT: The original amendment proposed by Senator Bricker was completely redrafted by able Constitutional lawyers representing the American Bar Association. Their draft, which has been adopted by the Senator, was then approved overwhelmingly *at least three times* by the legislative body of the Bar Association — its House of Delegates. Thus the Bricker measure is actually a proposed amendment to the Constitution drafted and vigorously backed by the American Bar Association.

Opponents of the Bricker measure have struggled desperately to overcome the enormous prestige of the Bar Association's strong support of it. It is claimed that some forty deans of law schools are against it. This raises the question of authoritative guidance; is it best to rely upon the judgment of the American Bar Association, which includes the ablest practicing Constitutional lawyers in the country, or the law school theorists, a number of whom are on record as favoring some form of world government?

Opposition to the Bricker amendment also includes some prominent "Wall Street" lawyers with clientele that includes foreign interests in the United States or American firms doing business abroad. A few have been cited and decorated by foreign governments for services rendered. Again the question is raised whether it is safest to trust the American Bar Association or lawyers who might be influenced in their judgment by their own profitable foreign associations.

Finally, the Bar Association's House of Delegates has heard and carefully considered all the current arguments being used against the Bricker amendment — such as the ridiculous contention that under it a treaty would have to be ratified by the legislatures of our forty-eight states, that the amendment would tie the hands of the President in conducting the nation's foreign affairs or impair the President's power to command the military — and has voted them down as untenable.

SECOND FACT: The Bar Association's deep interest in the Bricker amendment grew out of its own experience with the activities of certain organs of the United Nations.

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For a number of years lawyers of the Bar Association have been exposing one attempt after another of UN Communists and socialists to wipe out the American way of life. This thrilling story — little known — of how the Bar Association fought the UN schemers who plotted to socialize our industries, scrap our Bill of Rights and even to abolish the integrity of the United States through proposed treaties needs re-telling.

From its birth the great preoccupation of the United Nations was supposed to be with the prevention of war. But, thanks to Alger Hiss and his cohorts, the UN turned out to be a powerful apparatus for Communists, avowed and concealed, located within the United States and financed largely by American taxpayers. What was represented to the American people as a noble and sincere effort to grapple with the ancient curse of war was revealed by our Bar Association to be a gigantic hotbed of conspiracy against the American tradition. The Communists and socialists devoted their energies to preparing international treaties full of legalistic booby traps by which they hoped to commit our government to socialism inside the United States and then slip us into a world socialist state. We might never have known what was really in those innocent-appearing, high-sounding covenants had it not been for the patriotism and vigilance of the ABA.

ONE MIGHT WELL TREMBLE AT WHAT would have happened to us during the past five years if these legal sentries had been asleep at their posts — or had gone over to the side of the UN plotters, seduced by the latter's disarming declarations of lofty purpose. Never was the old Trojan Horse game more astutely planned for the destruction of America. But the unanticipated obstacle to the conspiracy was the American Bar Association, who from our first involvement in the UN, began sounding tocsins of alarm.

Shortly after the end of World War II, the A.B.A. became increasingly uneasy. Then its House of Delegates whipped through a measure that was to have far-reaching consequences. Up to that time the Bar's international matters had been handled by what was called the Section on International and Comparative Law. The Association had grown distrustful of this body because it invariably brought in reports upholding the State Department of the Roosevelt and Truman Administrations in practically every particular. To offset such obvious bias a new committee was set up, called the Committee on Peace and Law Through United Nations. On this new Committee were put top lawyers of the Bar Association. And then things began to happen.

The United Nations sent to our Senate for ratification a treaty known as the Genocide Convention, which made it a crime to give "mental harm" to members of any national, ethnical, racial or religious group. The new Committee of the Bar Association immediately dug into the proposed treaty, holding conferences of judges, lawyers and professors all over the nation to discuss it. After a searching analysis of the Genocide Convention the Committee came to the unanimous conclusion that it would, if ratified, deal a mortal blow to our constitutional guarantees for free speech and free press. Under its provisions

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an American citizen could be arrested and transported for trial before a foreign tribunal because he had criticized the Hindus or Hottentots or blown his top about Joe Stalin.

The Section on International Law of the Bar Association, however, came up with a report on the Genocide Convention siding with our State Department. The Secretary of State, Dean Acheson, had approved the Convention and President Truman had sent it to the Senate, urging its ratification. Thus the Section on International Law and the Committee on Peace and Law locked horns over the Genocide Convention. But the House of Delegates of the Association *overwhelmingly* upheld the report of the Committee on Peace and Law which roundly condemned the Convention. Thereafter, when hearings were held on it by a Senate Committee, representatives of the Bar Association were there with instructions to fight it to the finish. They exposed the treaty so effectively that the Senate Committee at the end of the hearings simply pigeonholed it. That was *Round One* in the battle between our Bar Association and the UN.

THEN THE COMMITTEE ON PEACE and Law analyzed the Covenant on Human Rights — another proposed UN treaty. It came to the unanimous conclusion that the Covenant was shockingly dangerous — that the treaty was in fact a blueprint for world socialism, and, if ratified, would nullify the provisions of the Constitution insuring freedom of religion, speech and the press. For example, the Constitution says that Congress shall make no law prohibiting the free exercise of religion or abridging the freedom of speech or of the press — period. But the Covenant declared that freedom of religion, speech and press should be subject only to such limitations as were reasonable and necessary to protect the public safety, order, health or morals — a wide open door for some President, under the guise of an emergency, to throttle these basic American freedoms.

The Committee on Peace and Law unanimously condemned the Human Rights Covenant while the Section on International Law vigorously championed it. But again the House of Delegates of the Bar Association came to the support of the Committee on Peace and Law. This was *Round Two* in the battle between the American Bar Association and the plotters of the UN.

Then the UN began gestating another treaty — the Convention on Freedom of Information. At first an important section of our press fell neatly into the trap — boosting the proposed Convention. But, when the Committee on Peace and Law went into the Convention, the press backed away. The Committee found the Convention to be a plan to suppress freedom of the press. Freedom of Information in the Convention was made subject to such limitations as were necessary to protect the public safety, order, health or welfare. Under it our Government could censor news in time of peace and "correct" a news dispatch sent from the U.S. to another country or from another country to the U.S. Again the section on International Law of the Bar Association defended the Convention on Freedom of Information, which had been approved by our State Department; again the Committee on Peace and Law opposed, and again the House of Delegates sided with

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the latter. This was *Round Three* in the American Bar Association versus the UN.

In the fourth round of this battle the UN crowd came forward with a proposal to establish an international criminal court — one that would permit no trial by jury — one before which American citizens could be hauled for trial by foreign judges. This was a pretty raw proposal. As usual the Section on International Law swung behind the United Nations and our State Department — and again the Committee on Peace and Law was solidly backed by the House of Delegates in its opposition to such an international court.

The revelations of the Committee on Peace and Law of the Bar Association had put its finger squarely on the menace of treaty law to our Constitution and our heritage of freedom. One can wonder how it was possible for any Administration to support the efforts of the UN conspirators. But, spread out before the Bar Association was the record in black and white of the Truman Administration's approval of the Genocide Convention and its efforts to get the Senate to ratify it — and the support of our State Department for the Human Rights Covenant, the Convention on Freedom of Information and the establishment of an International Criminal Court. Here was no idle threat.

SO, TWO YEARS AGO the Committee on Peace and Law of the Bar Association urged the adoption of an amendment to the Constitution which would prevent *any* treaty from overriding its provisions. The Association's Section on International Law bitterly opposed the Committee's recommendation — but the House of Delegates again supported the Committee. This was *Round Five* in the legal hassle between the American Bar Association and the UN.

Last Spring the Senate Judiciary Committee, on which sit the ablest Constitutional lawyers in the Senate, held hearings on the Bricker amendment (actually drafted, as we have said, by the best Constitutional lawyers of the Bar Association). Twelve hundred and sixty seven pages of testimony were taken. The Eisenhower Administration mobilized its full pressure strength to get the Committee to vote down the Bricker Amendment. But the Committee approved it by a *two to one vote.*

Internationalists in the Administration then determined to make an all-out effort to get the Bar Association at its fall meeting last year to withdraw its support of the Bricker amendment. Secretary Dulles was dispatched to properly impress the Association. But it didn't work. The Committee on International Law and the Committee on Peace and Law again clashed — but the House of Delegates by a vote of *four to one* again lined up for the third time behind the Bricker amendment.

Knowing this history of the American Bar Association's connection with the Bricker proposal, how can Congress dare either to defeat or water it down — particularly since the UN political gangsters are still busily engaged in preparing scores of other treaties, all intended to reshape our national structure in the image of Karl Max?

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HUMAN EVENTS

FRANK HANIGHEN, *Editor* FRANK CHODOROV, *Associate Editor*

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The Bricker Fight: As this issue goes to press, Senator Bricker is carrying his great battle to the floor of the Senate, but some of his ablest allies are not on the floor. They are outside button-holing Senators in the corridors and Senate waiting rooms. They are known as "The Vigilant Women for the Bricker Amendment".

Early in September, a group of Midwestern ladies started this organization. Prominent in the launching of the new organization were Mrs. Robert Murray, Mrs. Henry Jones and Mrs. Carl Kohler from Wisconsin and Mrs. Lewis Barker from Chicago. At the Midwestern conference of Republican women last fall the organization first tested its power. The Administration in Washington, fearful that an attempt would be made to put through a resolution endorsing the Bricker proposal at the Conference, fixed it so that no resolutions would be considered. But the female vigilantes outwitted the Republican National Committee by obtaining the signatures of some 700 women of the 1,100 attending the Conference on a petition supporting Bricker.

The Administration didn't like it, but the ladies stepped up their efforts to spread their organization across the nation and fixed a date in Washington for presenting petitions for the Bricker Amendment to Congress. Last Monday their officers arrived in Washington with over 500,000 signatures and announced their organization had established regional coordinators in 39 states and was sure to bring in the remaining 9 states in a short time.

Rumors flew around the Nation's Capital that the meetings scheduled by "The Vigilant Women for the Bricker Amendment" would turn out to be unimpressive. But the ladies emerged from their march on Washington with flying colors. The mass meeting at the Hotel Washington was jammed and the speeches of Senator Bricker and Frank Holman, former Bar Association President, evoked waves of thunderous applause. In the question hour a full-blooded Indian from Tulsa, Oklahoma, informed the audience that the red men were being told that adoption of the Bricker Amendment would invalidate all treaties between the tribes and the Federal government and asked Holman if this were true. Holman said "no" — described such propaganda as indicating how fantastic the campaign of misrepresentation against the Bricker Amendment had become.

An interested spectator on the sidelines, heavy-jowelled Maury Maverick, a faithful New Dealer, former member of Congress and Mayor of San Antonio (apostle of soak the rich for his Mexican constituents), stalked angrily from the hall branding the Holman speech as "bunk".

Surrounded by admiring ladies was Lt. General del Valle. This tough marine commander declined an assignment from Truman's Central Intelligence Agency to "get" General Douglas MacArthur in Tokio. After the war he refused to conspire against MacArthur and was promptly ousted from a big industrial job, which he had been occupying, controlled by New Deal business powers.

The dinner given Tuesday night by the Foundation For The Study of Treaty Law at the Mayflower was jammed to capacity and the addresses of the speakers were carried over 500 radio stations into every corner of the nation. Most effective was Dean Clarence Manion who explained the Bricker Amendment simply, logically and convincingly. Mrs. Vogeler, charming wife of the American imprisoned by the Communists in Hungary, speaking in a cultivated foreign accent, sailed into the Status of Forces Treaty which under the Eisenhower Administration has turned American soldiers over to foreign tribunals for

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trial and deprived them of their constitutional rights to be tried by their countrymen and by American judicial procedures. Robert Eicholz read the speech of Professor Edward S. Corwin of Princeton who had regretted his inability to appear, upon the advice of physicians. To an audience already well-versed in the distortions of the Bricker Amendment the words of the Princeton pundit against it evoked polite snickers and at times outright laughter, but Mr. Eicholz took it all in good spirit, receiving in consequence a generous hand for attempting an impossible job.

Today the "vigilant women" for the Bricker Amendment left the city, but with a number of ideas for increasing the mobilization of the nation's women in defense of the Bricker amendment. Also, in the heads of many, the developing idea that, whatever the outcome of the Amendment in this session of Congress, the Senator from Ohio must be drafted on a nationwide basis to take the Republican nomination in 1956 and save the Republic.

No Depression: Mr. Colin Clark, Australian economist, claimed before the National Industrial Conference Board meeting last week in New York that there would be no major depression, and the recession this year would be something like that of 1949 which hardly damaged the economy. In the NICB discussion, another economist — Professor W. Woytinsky — went farther. We prefer to dwell on Woytinsky because since 1945 we have often quoted his predictions on business and they have always panned out pretty well.

Woytinsky, Professor of Economics at Johns Hopkins, predicts an increase of only 500,000 to 1,000,000 over the present level of 2,000,000 unemployed, by April or July. He said unemployment will rise to about 3 million but hardly more. The Johns Hopkins' man believes that, despite the current downturn, the total output of goods and services will rise from the 1953 level of $365 billion to a 1954 total of $384 billion. He further believes that the present recessive movement might be converted into an upturn in the second quarter and "will probably be accompanied by a very high level of economic activity. By the fall of 1954 national income and industrial production are likely to return to the hypothetical trend line, some 7 or 8 per cent above the level of the fall of 1952".

In contrast to Mr. Colin Clark who proposed Keynesian spending and warned against doing "too little, too late", Woytinsky advised against a policy of "too much, too early".

We cite Woytinsky's forecast because he's been largely correct in his prognostications in the past decade and particularly at the end of the war in 1945. At that time, most of the New Deal economists were predicting 10 million unemployed by 1946 and a major depression — the while they demanded big spending. Woytinsky, then in the Social Security Administration, braved the displeasure of his New Deal bosses and told a congressional group that, in his opinion, there would be no post-war depression. It is rumored that he then found the climate too chilly in Washington and left the Government.

Not Merely Gossip: Best opinion here is that Philip Young (son of former financier Owen D. Young) and the Civil Service Commission, which he heads, have got the White House in an embarrassing jam. Some two months ago, the White House claimed that the new Republican regime had got rid of somewhat over 1,400 security risks of all categories. More recently, they raised the figure to 2,200. The Democrats have started to attack this boast, claiming that real subversives amount to only a small fraction of this number. The story is that Young and his committee bungled the statistics at the beginning and the White House is unable to document their claims. Hence, the White House firm refusal to give out the facts. Young has been in trouble for his failure to alter the civil service regulations so as to admit more Republicans to important bureaucratic jobs. Those members of Congress who had been demanding Young's scalp on that score now have an additional reason for demanding it.

● The film rights of Charles Lindbergh's best-selling book *The Spirit of St. Louis* have just been reported sold to Hollywood for a figure in the neighborhood of $1,000,000. But, according to those in a position to know, the famous flyer himself will not get any of this sum. He has reportedly arranged to have the money paid to a trust fund to be set up for his children. Those who are acquainted with

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the famous man are not surprised, for he is said to be a father who constantly thinks of the welfare of his children.

● The French are wrathful against the U.S. just now for, among other things, a report which a House Armed Services subcommittee under Representative Hess (Rep., O.) has drafted. The report recommends that the Headquarters of NATO, of the whole Western Defense effort in Europe, should be moved from Paris to Madrid. The members of the group reportedly feel that Spain is more reliably anti-Communist than France and is now by way of becoming a more powerful military factor in the European situation. News of this report leaked to foreign correspondents and the Madrid press has been gloating over it, to the disgust of the French Government.

Randall Report: The Randall Commission on tariffs and trade policy has just issued its final report. Randall is a high-minded business figure who sincerely advocates free trade and attacks tariffs. But his handiwork has been picked to pieces by realistic members of Congress and others in this hard-boiled capital.

As one wit put it: "Randall's report reads as if all the arguments were written by a high tariff protectionist, while the conclusions based on these arguments were written by a free trader."

For instance, the report concedes that the U.S. is actually a low tariff country at present; that free trade under existing world conditions is impossible; that further reduction of tariffs would hurt many industries; and that other countries use — in addition to tariffs — multiple exchange rates, quotas, blocked currencies and other devices to keep out imports.

On the basis of this picture, the Randall Report then recommended that the Reciprocal Trade Agreements Act be continued for three more years and that the President be given authority to reduce sales still further under certain conditions.

Naturally, there are many members of Congress who do not believe the recommendations constitute a sequitur from the arguments. Representatives Dan Reed and Richard Simpson in the House and the able Senator Eugene Millikin on the other side of the Capitol strongly object. Generally there's a hubbub of dissent.

One argument against the Randall Report is that we are not only a low tariff country but we already have an "unfavorable" balance of trade. This is the way this argument is worked out: The Federal Government has of recent years included in the figures of our exports all the materials given away to foreign governments. If strictly commercial import and export figures are considered — that is, the figures on materials actually paid for between individuals and corporations in the various countries — the United States last year had an import surplus of around a billion dollars. That is why gold is being shipped abroad.

Paul's in Jail: Paul C. Fisher, the young man who has been fighting the Labor Department of the United States, on a matter of constitutional principle, has landed in jail for his pains. Paul operates a small manufacturing business in Chicago. One day, for reasons that have never been made clear, the Labor Department demanded that he turn over his records for examination; there was a vague and general assertion that he had violated the labor code. Paul knew that in the Fourth Amendment to the Constitution there was something about the "right of the people to be secure in their persons, houses, papers, etc., shall not be violated", and that no warrants shall be issued "but upon probable cause, supported by oath and affirmation". He asked for a warrant so supported. The agents of the Labor Department said they did not need one. He refused to give up his books.

A legal battle followed. Paul did not have the kind of money needed to hire the legal talent such a case involves, and the legal profession was rather cool to his fight on constitutional principle. So, he acted as his own lawyer. He lost in the lower courts, and his petition for a rehearing was denied by the Supreme Court some weeks ago. He was declared in contempt of the U.S. Labor Department and since he still stood by his constitutional rights and refused to deliver his records, he was consigned to a

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durance vile — to stay there until such time as the experience shall, the officials hope, weaken his will and he shall turn over his records.

"I have been here over a week now", he writes from the jail (address: Block A, Floor 3, Cell 26, Cook County Jail), "and am getting along fine with my 36 companions — dope peddlers, mail thieves, forgers, counterfeiters, etc. . . . I cannot quit now, even though I am immobilized. I need help and hope it will come from somewhere." His employees, 75 strong, marched to jail with him. Moral support he has now — but it will take more than that, not to get him out of jail, but to help him establish the constitutional principle.

Freedom from Taxes: This year, so the government estimates, about 50,000,000 Americans will be able to keep about three billion dollars of their earnings that, had the 1953 income tax rates been continued in force, the government would have confiscated. The 1951 increase of about 11 per cent in most individual income taxes expired on December 31, last. So did the 1950 excess profits tax.

But, more than 10,000,000 Americans who heretofore were free of so-called social security taxes, or were earning too little to come within this grab net, will find their pay envelopes rifled hereafter. These levies rise from 1½ to 2 per cent of earnings, payable by both employee and employer. Also, about 350,000 corporations which were not paying any "surplus profits" tax have been so reclassified as to become subject to one.

From this we ascertain a principle of government: never cut revenues unless the people go on the warpath; if you cut taxes here, be sure to raise them there. For, the power of the State is in proportion to the amount of production it can confiscate. And, the State never voluntarily abdicates.

To be sure, our officials have good "reason" for increasing the taxes on some while decreasing it on others. They have expenses. They have cut as much as they can without "endangering" the country, and all that. But, the real reason for continuing to tax as much as the people will stand for is that the government is so constituted as to be unable to reduce its area of power. The power must be *taken* from the government — which is another way of saying that there is no way of acquiring freedom but by solving the tax problem.

For the Record: "I Saw It in the Times", an article in the *National Republic* by Jeanne Somerville, is a well-documented attack on the journalistic practices of the *New York Times,* and will doubtless add much fuel to an already raging fire of controversy. Miss Somerville has apparently given the matter a good deal of study, and her piece embodies a number of examples of slanting and distortion of news in a paper which once enjoyed a high reputation for accuracy and fairness of coverage. She opens: "On the question of Communism in far-away places, the *Times* is firmly against it and says so eloquently and frequently. However, when a story concerning domestic Communism arises, a study and analysis of the *Times* leads to the conclusion that its slogan 'All the News That's Fit to Print', might better read 'All the News That's Fit for Brain-washing'. One marvels at the consistency and conformity of the *Times* approach to this problem, whether the subject to be treated is education, the clergy, the United Nations, or Senator McCarthy."

● In an article "Brainwashing American Style" in the *American Legion Magazine*, January issue, Alfred Kohlberg traces the origin of the term "McCarthyism". "The very term is a communist device", says Kohlberg. "It was first used May 3, 1950, by Owen Lattimore testifying before a Senate committee. The next morning the *Daily Worker* splurged it in headlines over an article by its political editor. Whether Lattimore got the idea from the *Daily Worker* or vice versa, I do not know." The Legion magazine carries a photostatic cut of the news piece in the *Worker* which first used "McCarthyism".

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